

Appln. No. 10/076,472
Amendment dated February 25, 2004
Reply to Office Action mailed August 13, 2003

REMARKS

Reconsideration is respectfully requested.

Claims 1, 5 through 19, 21 and 24 remain in this application. Claims 2, 3, 4, 20, 22 and 23 have been cancelled.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraph 2 of the Office Action

Claims 16, 17, 21 and 22 have been rejected under 35 U.S.C. §102(b) as being anticipated by Drake 5941547.

Claim 16, particularly as amended, requires "said lever member of said lever assembly having a plurality of stopping nubs, said stopping nubs being spaced along a portion of said length of said lever member such that said gearing coupler is selectively positionable between an adjacent pair of said stopping nubs, each of said stopping nubs being for inhibiting inadvertent sliding of said gearing coupler along said length of said lever member". These limitations have been taken from claim 20 and the intervening claims.

Examiner has indicated in paragraph 3 of the Office Action that the prior art of record fails to teach or adequately suggest the claimed features of claim 20 together with the base claim and any intervening claims. Therefore, claim 16, by virtue of its incorporation of the limitations of claim 20 and any intervening claims, is believed to be allowable.

Claim 21, particularly as amended, requires "said gearing assembly having a motor, said motor being positioned within said housing, said motor being operationally coupled to said positional member such that said motor is for moving said positional member along said portion of said length of said arm of said housing". These limitations have been taken from claim 23 and the intervening claims.

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Examiner has indicated in paragraph 3 of the Office Action that the prior art of record fails to teach or adequately suggest the claimed features of claim 23 together with the base claim and any intervening claims. Therefore, claim 21, by virtue of its incorporation of the limitations of claim 23 and any intervening claims, is believed to be allowable.

Claim 17 is dependent upon claim 16, particularly as amended, and therefore incorporates the requirements of claim 16. Thus, claim 17 is also believed to be allowable over the cited reference.

Claim 22 has been cancelled.

Withdrawal of the §102(b) rejection of claims 16, 17, 21 and 22 is therefore respectfully requested.

Paragraph 3 of the Office Action

Paragraph 3 of the Office Action states that claims 18-20, 23 and 24 would be allowable if written into independent form with the limitations of the base claim and any intervening claims.

The above amendment incorporates the limitations of claim 20 into the recitation of claim 16, and therefore claim 16 is believed to be in condition for allowance. Claims 17 through 19, by virtue of their dependency from amended claim 16, are also submitted to be in condition for allowance.

The above amendment incorporates the limitations of claims 22 and 23 into the recitation of claim 21, and therefore claim 21 is believed to be in condition for allowance. Claim 24, by virtue of its dependency from amended claim 21, is also submitted to be in condition for allowance.

Paragraph 4 of the Office Action

Claims 1 and 5-14 are allowed.


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CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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